

As for my Fars as the wisest Alderman of the Company, but to be perjur'd, that's Sir
P. Knight of the Post. That is nothing, but to be found in it, says the VVhig, that's
the Devil; but to be Pilloried says the Tory, grant me Patience.

T. Oath.

You know Brethren, Patience is a Vertue, which our Adversaries the Tories have
practis'd for many Years, as you may find by our many late Plots and Projects which
they still bore with Patience. Some had Patience to suffer all Reproaches, Lyes, and
Indignities, some had Patience to be Imprison'd, and some to be hang'd. When the
Parliament Voted the King no Money, he endured it with Patience. When T. O. jested
the Queen into the Flot, She bore it with Patience; when the Bill of Exclusion was
brought against the Duke, he endured it with Patience, he bore his Punishment with
Patience, and the Lords in the Tower bear their Imprisonment with Patience: Nay,
Leffrange and Heracitus, bore their Reproaches with Patience, Stafford endured the Ax
with Patience, and it shall be said hereafter, that Thompson bore the Pillory with Patience.

X 28. Moore
- 81.

And indeed, (Beloved) let me tell you, that for want of this Spiritual Guide and
Comforter Patience to go along with us; you have often falln short of the End in the
Prosecution the Good Old Cause. How came Oaths and the Flot to fall so soon? Be-
cause he wanted Pay and Patience to stand longer in a Lie? How came Colledge to be
hang'd for his Honesty? Because he had not Patience to outlive the Gallows. How
came the Parliament to be Dissolved at Oxford? Because they had not Patience to heal
up the Wound till they stuck themselves to the Heart with Probing. How came our
Brethren to fall into a Riot? Because they would be Kings, and had not Patience to
stay till it came to their turn, and how comes a Prætor to be Voted to the Pillory?
Because he wanted Patience to stay for a Halter.

Now Beloved, you have seen the great Mischiefs and Inconveniencies we have brought
upon our selves for want of Patience, and indeed it is but necessary you should have him
amongst you at this time. Does it not require Patience to be handled as we are? To
loose our Votes, our Places, our Rights, and Priviledges, our Freedoms and Immunities,
our Liberties and Properties, our Garters and Charters, our Wives and Prentices, our
Estates and Fortunes, our Hum---- All, would not all this I say require Patience; Oh!
but to loose our Ears too: Nay, verily Beloved, sure this would put a Man out of all
Patience.

This one word by way of Exhortation, and I have done: since we all Labour un-
der the same Persecution, Pray for Patience, If you fall into the hands of the Law or
the Hangman, Pray for Patience. If your Fine be greater then you are able to Pay,
Pray for Patience. If the Tories have the upper hand, have Patience. If any of the
Brethren be Doom'd to the Pillory, think of Patience, if any be given over to Jack
Katch, Pray for Patience.

F I N I S.

L O N D O N, Printed for John Smith. 1683.

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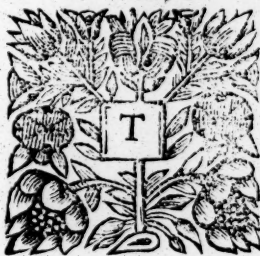
L O N D O N, Printed for John Smith. 1683.

That the Right both of Chusing Sheriffs, and of Admitting them to, or Precluding them from, the relieving themselves by FINE, is solely in the Common-Hall, briefly Opened and Defended. (Printed 7.th 89.)

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246.

(By Singly by Bethel Esq.^r (as Fome report) &c.)



IS as surprizing, as 'tis unaccountable, that while we are vindicating our Laws, Rights, and Liberties from the invasions made upon them by our late Kings, there should be found so great an inclination in inferior Magistrates, Courts, and Officers, to maintain their own usurpations over the Franchises and Privileges of their fellow Subjects and Citizens. Nor do's it only fill men peaceably disposed with amazement, but it greatly alarms them to find, that those who a few Months ago, would have been thankful to have stood indemnified from their illegal and arbitrary Actings, are become of late so emboldened, as to justify their former Lawless Courses, by adhearing unto, and pursuing the same methods. But surely the Freemen and Citizens of *London*, must be degenerated into a strange fondness of slavery, if when through the Grace and Generosity of Their present Majesties, they are not only redeemed from the Tyranny exercised over them and the Nation by Kings, but secure against it in future Reigns as well as their own; they should sacrifice their Rights to the Court of Aldermen and the Common-Council, who, as they are indebted for the station they are in to the choice of the Free-men, so they are not only sworn to preserve and defend the Liberties, Privileges, and Franchises granted to the City by so many Charters; but are accountable to the Community represented in the Common-hall, in case through violating their Oaths they either invade or betray them. And as the behaviour, at this juncture, of some Men, shews how little they are influenced by the example of His Majesty, both in making the known Laws the alone Rule of his Government, and in expressing the utmost temperance of mind, condescension, patience and goodness, towards unthankful, murmuring, and undutiful, as well as towards grateful and loyal Subjects; so the present carriage of some of the Court of Aldermen, in the matter under debate between them and the Common-Hall, seems to be calculated in order to frustrate and defeat one of the great ends of His Majesty's glorious undertaking in his coming into *England*, which was to vindicate, recover, and restore to Cities and Corporations, all the Privileges and Rights whereunto they had a legal claim by Laws, Prescriptions, Grants or Charters, and which had been either lost and departed from by length and corruption of time, or wrested from them by the fraud and violence of any Rank or Set of Men.

Whatsoever Right some of our late Mayors, Aldermen, and Common-Council men challeng'd in and over the Priviledges and Franchises of the City, as if the Charters containing the Customs, Liberties, Powers and Authorities, vouchsafed, and conveyed to the said City, had been originally made and granted solely to them; yet it is a

matter too evident to be controlled, That they are not so much as named or mentioned in any of the said Charters, every thing therein specified and comprehended, being made over, granted, and confirmed to the Citizens and Commonalty of *London*: So that all the Interest they can with Justice or Reason pretend unto, by virtue of any Charter, in reference to the Rights and Franchises of the City, is merely as they are Citizens, and in conjunction with the Commonalty. See Charters granted to the City of *London* by *Hen. K. John. Hen. 3. Edw. 1. Edw. 2. Edw. 3. Ric. 2. &c.*

And as the Power of chusing Sheriffs, is one of the principal Rights and Privileges conveyed and confirmed in the said Charters; so both the Sheriffwick it self, with all the Customs thereunto belonging, and the Privilege and Authority, as well of making as amoving Sheriffs, is made over and granted to the Citizens and Commonalty of the said City. This will fully appear to all such as will allow themselves to consult the forementioned Charters. Nor is it consistent either with the Honour or Peace of the City, That the Right of Electing Sheriffs should be lodged in one Body of Men, and the Power of Approving and Disallowing should be vested in another. Neither is it agreeable with the measures either of Wisdom or Justice, That any should loose but they who have power to bind. Accordingly when *Mr. John Richmond*, who in 33 *Hen. 8.* had been chosen by the *Common-Hall* for one Sheriff, refused to serve upon a certain pretence mentioned in the Records of the City, *Lib. 2. fol. 35. a.* The *Commons* in the *Common-Hall* Assembled took cognizance of it, and judging the Excuse and Plea upon which he grounded his refusal, to be insufficient, they committed him to Prison for disobedience and obstinacy: And then he submitted to a Fine, and the *Common-Hall* met again the 12th of *August*, to consent to his discharge.

But whereas the Court of Aldermen insist upon, and allege the Authority of an Act of Common-Council, made *An. 7. Car. 1.* whereby they pretend to be authorized and empowered to admit such to Fine whom they shall think meet, without the concurrence of the Commons; and that notwithstanding the Commons having both chosen such Person or Persons to the Office of Sheriff, and their continuing to adhere to the Election which they have made: we shall take liberty to unravel that Act, and shew, not only the illegality of it, but what fatal mischiefs it is shapen and adapted to produce. Nor is it a derogation from the Wisdom of a Common-Council, when I say that One of the Acts of that Body may be illegal; seeing I am justified in the use of the expression by the Commons of *England* in Parliament assembled, *An. 1628.* who being applied unto by way of Petition and Complaint by one *Legatt*, did judge and declare a certain Act of the Common-Council to be null in it self, and that all the Proceedings upon it had been unjust and arbitrary.

Nor is it much for the Reputation of the Court

...determined, that the Act which they seek to justify themselves by, is the same that Sir John May bore himself upon, when he overthrew all the Rights of the City relating to the Choice of Officers, and thereby laid us open to a Deluge of Money and Blood. But I see some Men do as little understand their Interest as their Duty; for by reviving the Authority of that Act of Common-Council, they prevent the forgiving as well as the forgetting their Crimes. There must be in the Court of Aldermen Gentlemen either very weak Memories, so as to forget the Resolutions made upon this Act in the Committee of the House of Commons but a few weeks ago; or else they have neither that Reverence for the Authority, nor that Apprehension of the Justice of that Part of the Legislative Body, as well as Grand Inquest of the Kingdom, which not only is their Duty, but their Circumstances should oblige them unto.

To which I do farther add, That whatsoever the Power of a Common-Council is, yet it remains still subordinate and subject unto, and may have its Acts both questioned and superseded by a Common-Hall: For the former being a Creature of the latter, and only instituted and created by it, for the ease and conveniency of the Great Body of the Commonalty; it is not to be supposed but that the Free-men reserved a Jurisdiction unto themselves in their General Meetings, both of controuling and annulling such Acts as should be found to the prejudice of the Corporation and Society. Accordingly, we not only find the Commons of London, in the 20 Ed. 3. and the 43 Ed. 3. giving Rise and Being unto a Common-Council, and both prescribing the End for which it was Instituted and Ordained, and adjusting the number of the Members that were to constitute it, together with the manner how they should be chosen and elected:

But we further find, That the said Commons in Common-Hall assembled, *An. 7. Ric. 2.* do both redress those Inconveniences that had crept into the Management of Common-Councils, and prescribe such new Regulations as might render their Debates calm and sedate, and themselves more useful in time to come.

But then, if we will observe, That the Act passed upon by the Court of Aldermen for then admitting Persons, after their being elected to Offices by the Commons, to discharge and free themselves from the said Offices by *Fine*, without the leave and consent of the Commons, is inconsistent with the Charter, we may not only affirm it to be in it self null, but that they who strive to assert and uphold the Authority of it, are not so regardful of their Credit, as men of Wisdom and Honesty ought to be. All the Power and Authority that either the Court of Aldermen, or the Common-Council can pretend unto, is vested in them for the preservation of the Franchises granted to the Citizens, and not for the subversion of them. To this they are sworn upon their admission into their respective Offices; and by every known and wilful invasion upon the Privileges set by the Charter on the Free-men, they are guilty of the violation of their Oaths, and become perjured. Nor is their passing and enacting of such Laws as are inconsistent with the Charter, merely an invasion upon the Rights of the Commonalty; but it is a Crime against the King, in robbing his people of the Grace which the Crown hath vouchsafed unto them, and in annulling all the Sta-

ble Laws by which the Charter is ratified and confirmed. And therefore, as it hath been lately acknowledged by the Town-Clerk before the Committee of the House of Commons, that this Act of Common-Council is disagreeable unto, and inconsistent with the Charter; so I do not know, but that they who have the boldness to support and justify it, are liable to be impeached of cancelling the Laws of the Kingdom, and of claiming a power unto themselves, both of subverting his Majesties Royal Authority and Prerogative, and of committing a breach upon his Bounty, Favour, and Grace.

And as it is not to be thought that the present Lord Mayor, who besides his approved Integrity in the most difficult times, is a person of that Wisdom as not to act inconsistently with himself, will after he has lately departed from one Branch of this Act of Common-Council as unjust, illegal, and oppressive, insist upon any other Clause or part of it, as valid and binding; so tis to be hoped, that the very Court of Aldermen will as readily in favour of the Commonalty of London, abandon the unjust and arbitrary pretence and claim, which they have in the said Act does empower them to challenge, about admitting persons to *Fine*, whom the Common-Hall hath chosen for Sheriffs, without the concurrence and approbation of the Majority of the Electors, as they calmly deserted and forsook their invasion upon the Rights of the City, about the Lord Mayor's constituting a Sheriff by the Honourable Method of Drinking to One, and who by the late Act of Common-Council in the Mayoralty of Sir Will. Pritchard, was to be so held and esteemed, if but Two Persons of the whole Commonalty, should hold up their hand, in Consumation of the Person designed and chosen by the Glass and Rummer.

Nor will it be unworthy of the consideration of the Court of Aldermen, That the Act of Common-Council upon which they insist in justification of their present procedure, hath been judged to be of no Force, Validity, or Obligation, by the highest Court of Judicatory of the Kingdom, namely by the Lords in Parliament assembled, 17 Car. 1. For the Commons having refused to confirm one for Sheriff, whom Sir Edward Wright, the then Lord Mayor, had by the Cup or Glass chalk'd out for that Office, and a disappointment being thereby occasioned of the Election of Sheriffs on *Midsummer* day, the Case was thereupon brought judicially before that High and Honourable Court, which after a full hearing of both Parties, ordered the Commonalty to proceed to the Nomination and Election of both Sheriffs for the Year ensuing.

To which may be added, That the forementioned Act in the 7 Car. 1. and all other Acts of Common Council preceding the 15 Car. 2. that are either derogatory from, inconsistent with, or invasions upon the Rights of the Charter, are all cancell'd, repealed, or made void by the *Dispeximus* of the said 15 Car. 2. For whereas that revives and confirms all the Original Grants made to the City, reinvesting the Freemen in all the Rights and Privileges conveyed to them in Former Charters, it necessarily follows, That all such *By-Laws* as detract from, diminish, or subvert their Franchises, are thereby superseded, abrogated and annulled. And for any now to plead the validity of the often fore-mentioned Act of Common-Council, is not only to dispute the Authority, and renounce the grace and benefit of the said *Dispeximus*, but to provoke the Commonalty to seek redress in Parliament, against this unjust and abrogated Law.

Yea, should this Act of the Common-Council be acknowledged of force and binding, and be made the Rule according to which the Court of Aldermen are to govern themselves in reference to the choice of Sheriffs, they would not only be clothed with a power of oppressing and harrassing the Citizens by often and unnecessary attendance in Common Halls, but they would so far deprive the City of all Authority over its Members, That it would neither be in the power of the Commonalty, nor in the Court of Aldermen, to oblige any man to take upon him, and to hold the Office of Sheriff. For whereas by that Law, any man that will, may, notwithstanding his being chosen by the majority of the Freemen for Sheriff, challenge a right of discharging himself from serving, upon the paying of a certain and specified *fine*; it plainly follows, that it must be from Choice, and not from Obligation, if any Person submit to hold.

Prince of ORANGE, Born 14th of Novemb^r. 1650.
which was 18. dayes after y^e death of Prince William
his Father. &c.

This being your Majesty's Birth-Day, I thought
no time more proper than this to set on y^e thanks
for y^e Maj^{ty}'s Speech, and more especially for ex-
claiming, That the Church of England is one of the
greatest Support of the Protestant Religion, & for
y^e Defence of y^e Maj^{ty} was ready to lay down
y^e Life. Which was graciously said by y^e Maj^{ty},
and for wth I thank y^e Maj^{ty} Thanks; and in re-
spect she is: for she was, and is, and I hope will
be the only Bulwark against Popery; and that is
the only cause that makes Roman Catholics not to
Love her; and all Men, and Men that cannot un-
derstand her, are always Plotting against her to
do her Mischief. In intending her Children agtst
her, and perverting her Mercies, thinking to work
in her, that they may the better overpower her; but
the Most High God hath Punished her, therefore Men
now Devils shall not destroy her, neither shall Gates
of Hell prevail against her. It was the Unhappi-
ness of my late Sovereign to be persuaded to alter
her Government, which was y^e sole cause of turning
y^e Maj^{ty}'s hitherto to vindicate her; and there-
fore I humbly beseech your Maj^{ty} not to thrust
out her Members, nor put the Weolfe to keep y^e
Sheep; for I count those Men which have always
disturbed the Peace of the Church, are not fit to come
into her Government: For hath God done such great
Things for any Congregation, as he hath done for
this distressed and distressed Church of England? For
when the Presbyterian got Power, they got it by re-
vilement, and Blood, and by destroying the best of Kings
y^e Maj^{ty}'s Grandfather, and then they thought y^e
Church should die wth him, and never rise again; but
yet see the Miraculous Providence of God, in turning in
my Precious Sovereign King Charles the Second, and
y^e Father and Uncle, without the shedding of Blood, tho'
in humane Reason it seemed impossible when the deadly
Sectary Party had got it all into their own hands, I
love Godliness, but hate when Men make it a Law,
that makes me I cannot love Dissenters, till they re-
pent of the Fault, and acknowledge the Sin of their
Fathers; those that hated the name of a Bishop, and
said it was Popish; the Christ's Disciples Instituted
them; yet they could dissent with their Land. They